

EDITORIAL: American leaders rethink tough-on-crime agenda



Sen. Rand Paul of Kentucky, who is seeking the Republican nomination, deserves credit for his leadership on this issue. Long before Clinton joined the fray, Paul was speaking out about the need for reform. Many other prominent Republicans are also on board. And why not? JIM COLE — Associated Press

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Hillary Clinton's recent speech on criminal justice reform got a lot of attention because it was her first big policy speech as a 2016 presidential candidate, and it came at a time of heightened tensions between minority communities and law enforcement.



The political press also got excited because Clinton seemed to be distancing herself from some of the tough-on-crime legacy her husband built during two terms in the White House.



Clinton's speech deserved such scrutiny. But the bigger issue could be that despite its bold strokes, her address may not turn out to be all that controversial.

One of her potential Republican opponents even chided her for being late to the prison-reform game. And that says a lot about an emerging bipartisan consensus on criminal justice policy in America.

With any luck, that consensus will lead to changes that will make our crime laws and sentencing procedures more thoughtful and less driven by the crime-of-the-month.

And those changes will lead to lower incarceration rates, less money wasted on high-cost prisons and better services to keep low-level criminals from spiraling into lives of more serious crime.

In California, it costs \$62,396 to keep one felon locked in state prison for one year. Under pressure from the courts, the state has been reducing its prison population while keeping more nonviolent offenders in local custody.

The voters have also weighed in, tweaking the once-inflexible “three-strikes” sentencing law, stating a preference for drug treatment over jail and last November changing so-called nonviolent, nonserious felonies to misdemeanors.

We recommended that California voters turn down Proposition 47 on the November ballot because of its serious flaws, but we also recognize the emerging public thinking that propelled it to victory.

The change in three strikes was an important start, but there’s much more to do, and a favorable national political environment would make it possible. That’s where the presidential campaign comes in.

For decades, members of both parties at the state and federal levels have used the fear of crime as a political bludgeon. Candidates who suggested alternatives to long prison terms risked attacks of the Willie Horton sort used to pummel Michael Dukakis in 1988. Too many legislators, governors and federal officials rushed to broaden prosecutions and lengthen prison terms without studying the full effect of either.

Former President Bill Clinton went as far as anyone in that regard, as he has recently acknowledged. But even after more than two decades of falling crime rates, the public still is largely uninformed on the issue.

Thanks to breathless television news accounts, social media and political campaigns, you’d never know that crime rates are lower than they have been since the 1980s.

So Hillary Clinton’s call to end the “era of mass incarceration” is a timely one. Rolling back some of the federal drug laws would be a good place to start.

Sen. Rand Paul of Kentucky, who is seeking the Republican nomination, deserves credit for his leadership on this issue. Long before Clinton joined the fray, Paul was speaking out about the need for reform.

Many other prominent Republicans are also on board. And why not?

If Republicans dislike big government, nothing is bigger than a government that takes its citizens’ freedom and then spends far too much locking them up for far too long.

Although the evidence is mixed, some experts and advocates insist that higher incarceration rates mean less crime. But other studies suggest that it is the certainty of punishment rather than its duration that is likely to have the most impact.

What is certain is, we have the technology to accurately track crime rates, incarceration costs and substance-abuse rehabilitation costs following changes in sentencing laws. With this data, both leaders and voters should be able to get a firm grasp on the most effective approaches to providing law and order at a cost the public can bear.

And perhaps this will be the first presidential campaign in memory in which the candidates compete to see who can be the smartest on crime, rather than the toughest on crime.

That would be a welcome change.